



Choosing the Path Less Traveled: Strengthening California Families Through **Differential Response**

BY PATRICIA SCHENE, PH.D & STUART OPPENHEIM
EDITED BY CATHY SENDERLING

POLICY BRIEF

WhatWorks

INTRODUCTION

Each year, child protection and law enforcement agencies in California receive more than half a million calls reporting possible child abuse and neglect. Relatively few of these calls — some studies estimate fewer than 10 percent — actually meet the necessary criteria to receive services from their county child welfare agencies at that point in time.

However, these data tell only part of the story. Although most of these children are not found to be abused or neglected, many could benefit from the help and support of their community. Statistics show that approximately one-third of telephone hotline referrals are re-referrals of the same families from the previous year.¹ Connecting these families with community services can serve to strengthen and stabilize their relationships, reduce re-referrals and head off instances of child abuse and neglect.

“More than 90 percent of calls to child abuse hotlines do not qualify to become official child abuse or neglect cases. Yet these children and families could benefit from services and support.”



FOUNDATION CONSORTIUM
FOR CALIFORNIA'S CHILDREN & YOUTH

Statewide consensus shows that the idea of child safety as a mutual responsibility has been growing. Communities must respond strategically to children who are in danger of abuse or neglect, working with families at the first sign of a problem. A promising approach known as *differential response* is being implemented in a number of California counties. It is one of several ongoing practice changes that is creating valuable connections among agencies, programs and families. Researchers are finding that the result is a more responsive child welfare system, enhanced community services for families in crisis, and improved child and family well-being.

Because of chronic underfunding, uncoordinated state and federal policies, and the outdated federal financing structures that created the existing child welfare system, child welfare programs do not immediately serve most of the families reported to them. Overburdened county staff struggle to meet basic statutory and regulatory requirements, with little time or funding to provide early intervention services according to accepted best practices. Substantially more resources are invested in the removal of children rather than in the strengthening of families who, with help, might provide safe homes where their children are protected from harm.

Despite state and county efforts — and progress in reducing foster care caseloads in recent years — California continues to have more than 86,000 children in foster care, a crushing caseload that is the highest in the nation.

Against this backdrop, state and county child welfare agencies realized that they alone cannot make a substantial difference in the lives of every child and family referred to them. In 2001, the California Legislature agreed, enacting the Child Welfare Outcomes and Accountability System (AB 636, Steinberg), which recognized the need for a broader community effort to help families in crisis. *Differential response*, the focus of this brief, is one of a number of strategies that communities are undertaking to improve child safety and well-being throughout the state. There are currently three statewide efforts to improve California's child welfare system:

- *Differential response*
- An improved approach to assessing a child's safety once a report has been filed
- Expanded efforts to ensure that all children have permanent, loving homes and relationships in their lives, and are prepared for successful adulthood.

Together, these efforts share fundamental strategies that guide their collective improvement of child welfare outcomes in California. Following are three key strategies:



Seeing Families as Part of the Solution. By working with families to identify solutions, child welfare agencies promote voluntary participation in community services and supports. This collaborative approach is particularly important when a family's problems do not pose a great enough risk to warrant court-ordered intervention.

Working in Partnership. Communities are taking a comprehensive approach to family needs, working to ensure the availability of necessary services such as:

- Mental health
- Substance abuse evaluation and treatment
- Domestic violence programs
- Housing assistance
- Childcare
- Healthcare
- Job training and other employment services

These services often exist but are not linked with child welfare or with the often isolated families who are referred to child welfare agencies. Each county will approach these partnerships somewhat differently based on the culture and resources of its communities.

“Why do we engage families?

Because it is effective and it keeps children safe. In fact, it is one of the core guiding principles in Child Welfare System Improvements in California.”

— Dennis Boyle, Director,
California Department of
Social Services

collaborative

What is Differential Response?

Differential response is a different way of responding to the hundreds of thousands of reports of abuse and neglect that child welfare agencies receive each year. This new strategic approach to evaluating and improving family and child well-being improves a community's ability to keep children safe. This is accomplished by responding earlier and more meaningfully to reports of abuse and neglect, before family difficulties escalate to the point of harm.

The traditional child welfare system takes a "one size fits all" approach to allegations of abuse or neglect, with child safety as the key focus. While *differential response* does not change this focus on child safety, it recognizes that situations can vary and that a traditional investigation by a child protection agency is not needed in every case. Many situations that do not meet the criteria for a full investigation involve needs that, if addressed, could stabilize families and help parents to protect their children.

Differential response counties fully investigate reports that indicate immediate, serious safety issues for children and/or the potential for criminal charges against alleged perpetrators. Existing statutory definitions of abuse and neglect remain in place. In contrast to the traditional system, however, *differential response* communities can work directly with families without bringing them into the juvenile court system.

In California, the *differential response* system envisions three possible paths for families (see "*California's Three Paths of Differential Response*," below). In Paths One and Two, community agencies step in to help families identify and change conditions in which children are at risk of harm. Most children in Path One would receive no services under the traditional child welfare system. Path Two is used when there is low to moderate risk and where targeted services provided by community agencies and county staff can improve child safety. Path Three is the most traditional path, used when children would be at serious risk if the child welfare system does not formally intervene.



CALIFORNIA'S THREE PATHS OF DIFFERENTIAL RESPONSE IN CHILD WELFARE SERVICES (CWS)

1. PATH ONE: COMMUNITY RESPONSE

Chosen When: The county child welfare agency receives a call identifying possible abuse or neglect of a child; after gathering information, the agency believes the child is at a relatively low risk of harm. However, it is clear the family is experiencing problems or stress that could be addressed by community support or services.

Under the Traditional System: These families often do not receive any services and may not be referred to other community-based agencies. The child welfare agency does not follow up to determine whether another organization has assisted the family.

Under Differential Response: Because someone in the community is concerned enough to bring it to the attention of the child welfare services agency, these referrals merit a response and assessment. Families are formally referred to agencies in the community, and those agencies offer support and services to help strengthen families.

2. PATH TWO: CWS AND PARTNERS' RESPONSE

Chosen When: The county child welfare agency receives a call identifying possible abuse or neglect of a child; after gathering information, the agency believes the child is at some risk of harm but that the family is willing to take steps to reduce or eliminate the risk. This path initially attempts to involve the family without formal court intervention, but courts may become part of the picture if necessary to protect the children.

Under the Traditional System: These families may or may not receive services; there is little opportunity for informal engagement without court involvement; child welfare agencies may work with other county agencies and community partners, but not automatically.

Under Differential Response: Families work with representatives of county child welfare agencies, other county agencies and community-based organizations to identify their risks and strengths and to participate in services for improvement of child and family well-being.

3. PATH THREE: CWS HIGH-PRIORITY RESPONSE

Chosen When: The county child welfare agency finds that the children are unsafe; risk is moderate to high for continued child abuse/neglect and actions have to be taken with or without the family's agreement. Criminal charges may be filed against adults causing harm.

Under the Traditional System: There is often an adversarial approach to engaging the family, with automatic court involvement, mandated time frames and county/court requirements.

Under Differential Response: Efforts are made to engage the family, especially non-offending parents or other protective adults, in order to preserve the connections between the child and other family members. Genuine family engagement — through comprehensive assessments, in-depth case plans and focused services and supports — provides the best opportunity to protect children from harm.

I shall be telling this
with a sigh
Somewhere ages and
ages hence:
Two roads diverged in a
wood, and I —
I took the one less
traveled by,
And that has made all
the difference.
— Robert Frost

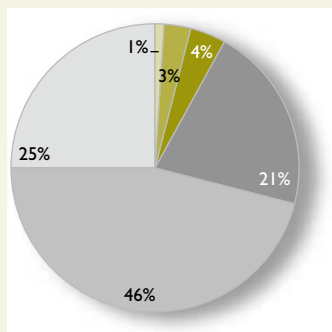
3 paths

How Might Differential Response Change the Child Welfare System?

Concerned citizens and professionals make more than 500,000 calls each year on behalf of children suspected of enduring abuse or neglect. Historically, as few as eight percent of these children are given significant help from the agencies receiving these reports. The remaining children receive few or no direct services from these agencies.

Professionals — both from within and outside the child welfare services system — reviewed actual cases in order to determine how these statistics might look under a *differential response* system. They estimated that if adequate resources are provided to make *differential response* fully operational, as many as 94 percent of the families referred for abuse and neglect would be offered help. These professionals hypothesized the following results:

8% Served

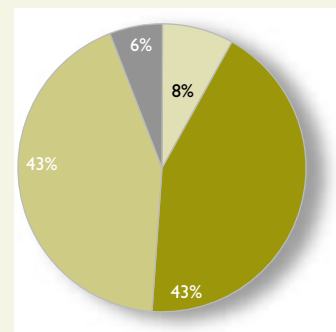


What Happens to Child Abuse and Neglect Referrals Now?

- 25% screened out via phone contact with no face-to-face visit
- 46% screened out after one face-to-face visit by a social worker
- 21% receive up to 30 days of services
- 4% receive voluntary or court-ordered services
- 3% result in child being removed from situation, along with reunification and/or permanent planning services
- 1% transfer to another jurisdiction

Source: UC Berkeley Center for Social Services Research

94% Served



How Might Referrals Be Treated Under Differential Response?

- 6% screened out via phone contact with no face-to-face visit
- 43% referred to the community for further evaluation and support
- 43% served by child welfare services agencies for further evaluation, and support from community partners and a team approach
- 8% served by child welfare services agencies with immediate assessment

Source: Child Welfare Services Stakeholders Workgroup on Differential Response

Does Differential Response Work?

Several states have undertaken multi-year evaluations of the implementation of *differential response*. A study of Minnesota's *Alternative Response* program has particular relevance for California because both states employ a county-administered system. Findings from Minnesota's evaluation report showed that within the alternative response system:

- **Children Were Safer.** Researchers found that the safety of children improved.
- **Families Were Stronger.** There were fewer new reports of child maltreatment.
- **The Cost Was Reasonable.** While the initial cost for services was greater, the approach was more cost-effective in the long term.
- **Families Liked the Approach.** Most families felt they were treated more fairly by the social workers, appreciated the opportunity for involvement in decision-making and case planning, and felt they benefited from the intervention.
- **County Staff Liked the Approach.** County workers also liked *alternative response* and saw it as a more effective way of approaching families. These attitudes strengthened among social workers as they gained experience using the system.

In other states as well, evaluations of *differential/alternative response* have yielded similar findings: the safety of children has not been compromised, and families and social workers respond positively to the approach. There is also evidence of greater and more timely service provision.

Putting the Three Paths into Practice

During a three-year process completed in September 2003, child welfare services stakeholders developed the key elements of a comprehensive set of improvements for the child welfare system, including *differential response*.

Following the stakeholders' process, 11 counties were chosen to receive modest funding to test the implementation of several key practice changes — including *differential response* — that had been recommended as a means to system improvement. These counties — Contra Costa, Glenn, Humboldt, Los Angeles, Placer, Sacramento, San Luis Obispo, San Mateo, Stanislaus, Tehama and Trinity — have been working during the past year to move further in defining and implementing *differential response*. These counties, along with 32 others, are also receiving technical assistance through the Breakthrough Series Collaborative on *differential response*. This collaborative effort of the Foundation Consortium for California's Children & Youth, along with the Casey Family Programs and the California Department of Social Services, is assisting counties to test and implement components of *differential response*. Thus, a majority of California's 58 counties have now begun to implement *differential response*.

While systemic evaluation has not yet been undertaken in the California counties that are moving forward with *differential response*, efforts are underway to identify potentially useful data from the statewide child welfare information system. The counties involved in the Breakthrough Series Collaborative collect data on a monthly basis that will yield important information over time. Anecdotally, *differential response* is already making a difference for children and families in many communities, as the following examples show.

"For us, Differential Response means you set aside a fact-finding forensic approach when the level of risk is low. Instead, you use a response that is appropriate to meeting the needs of the child and his or her family."

— Minnesota State Child Welfare Official

progress



HOW THE THREE PATHS HELP FAMILIES

1.

PATH ONE

Situation

A concerned neighbor calls the child abuse hotline regarding three-year-old Lina. Lina's father has died, and the neighbors rarely see Lina's mother, Nancy. More than once Lina, who often plays alone in the front yard, has darted into the street as a car was coming. Neighbors have pulled her to safety and return Lina into her house, where they have found Nancy asleep on the sofa. The neighbor worries that, because Lina is not adequately supervised, she is at risk of accident.

The social worker on the hotline determines that Nancy's behavior, while of concern, does not constitute abuse or neglect, and finds that the family has no record of child abuse. The report is assigned to "Path 1," linking the family to community-based services.

Action

A county worker, who specializes in working with the community, visits Nancy. They discuss the challenges of parenting a young child, particularly when there's no help from family or friends. Nancy admits that she is having trouble caring for such an active three-year-old, and hints that there are other problems that leave her too tired to supervise Lina properly. But Nancy is relieved to hear the worker say that other parents experience similar challenges and that there are community-based services that can provide her family with support.

The next day, the worker brings a case manager from the local community agency to meet the family. The case manager and Nancy get acquainted, and Nancy talks about some of her frustrations with parenting. They discuss initial goals, set some priorities, and come up with a plan.

The case manager helps Nancy connect to local community resources. They enroll Lina in preschool and work on a supervision plan for her. They discuss options for inexpensive family outings and home-based activities. They arrange a medical appointment for Nancy to address the issues that drain her of energy.

During the following months, Nancy becomes more connected to her community, builds a support network and takes pride in assuming a more active role as Lina's parent. The case manager, noting the family's progress, visits less frequently than before. A few months later, Nancy and Lina have adjusted so well that the case manager decides to close the case.

Impact

- Nancy will not be referred for suspected child neglect.
- Lina will be more prepared for school.
- The family will be happier, with less stress.
- The parent-child relationship will be stronger.



2.

PATH TWO

Situation

The county Child Protective Services hotline receives a call about Maria, a 16-year-old who is four months pregnant and plans to keep the baby. She's been kicked out of her house where she lived with her mother, stepfather and two younger half-siblings. Since she arrived in the U.S. from Mexico two years ago, she's never enrolled in school. The baby's father has left her and she's living with a friend. The caller is worried about her.

Action

The social worker on the hotline arranges for a representative from the Child Protective Services and for a mental health specialist from a nearby family resource center to meet with Maria. They refer her to a hospital where she will receive prenatal care and deliver her baby, and they help her enroll in a local high school that offers on-site childcare. A few weeks later the CPS caseworker will follow up with Maria, and to help her enroll in CalWORKs and Medi-Cal. Therefore, she can receive financial support and healthcare for her and her baby.

Maria's family agrees to participate in counseling through a neighborhood family resource center. The family agrees to enroll Maria's two half-siblings in the Head Start preschool so that Maria — who had been responsible for the care of her siblings — can return home and attend school. The family resource center will continue to provide ongoing support to the family as they make these constructive changes.

Impact

- Maria and her mother will have a renewed and healthier relationship.
- Maria will attend school and her child will be cared for on-site.
- Maria's siblings will be more ready for school.
- Counseling and other services will strengthen the family.

“Regardless of the agency or partnership conducting the child and family assessment, the critical question will continue to be, ‘What will it take to keep this child safe?’”

— Honorable Patricia Bresee (Ret.)

engaging families



3.

PATH THREE

Situation

The county Child Protective Services hotline receives an anonymous call about four-year-old Pam, whose mother spanked her so hard the day before that there is still a large bruise on Pam's thigh. The caller explains that the mother is having a difficult pregnancy, that she and Pam's father often argue, and that Pam's safety may be in jeopardy.

The social worker on the hotline finds that the family has been reported before, though the case is now closed. Because of the severity of the current report and Pam's young age, the hotline worker assigns the report to Path Three for an immediate response.

Action

A county social worker goes to the home, where Pam's mother agrees to let him in. He notices the bruise on Pam's thigh. The little girl talks to him, saying she loves her mother but doesn't like getting spanked or yelled at, or hearing her parents argue.

Pam's mother and father confirm the circumstances that the caller described on the hotline, but they worry they might lose their child. The social worker reassures them, saying the goal is not to take Pam away but to ensure her safety. He explains the county's team approach that encourages a collaborative process in deciding how to keep Pam at home and safe.

The next day, the team — social workers and several community service providers, along with Pam's parents, grandmother and pastor — discusses the situation, identifies the family's strengths, and develops possible solutions. They all agree that, with the support and services of county social workers, Pam can remain at home. The community service providers connect the family to preschool, parenting, and therapy resources. Pam's parents decide to go through counseling at their church and her grandmother agrees to provide childcare.

Impact

- Pam's safety will become a community priority.
- Pam will not be referred to foster care and will remain with her family.
- A broad group of family and extended family members will take action to help.
- The parents will learn new skills to keep the family strong and safe.
- Pam will be more ready for school.

What Stands in the Way of Differential Response?

Challenges fall into one of two main categories: fiscal or administrative.

Fiscal Challenges at the State and National Levels. As in most states, child welfare services have never been adequately funded in California. A legislatively mandated study released in 2000 confirmed what many suspected: that California's child welfare system was so under-funded that it failed to meet mandates. Now, even with new state and federal requirements in place, funding is stagnant because of the state's ongoing fiscal crisis.

With the goal of enhancing safety, permanency and child well-being, more resources are needed to:

- Implement interdisciplinary prevention, intervention, and family preservation programs and broaden the use of successful programs;
- Expand placement options for children and support for children in permanent placements, such as relatives and adoptions;
- Reduce caseloads for child welfare workers so that they can provide more individualized services; and
- Focus on measuring and improving outcomes for children and families.

Complicating the picture is an obsolete federal financing structure that supports out-of-home placement rather than intervention services to reduce families' need for intensive child welfare services. Community-based services are particularly important for success in Path One situations, but these are not adequately funded or coordinated at the state or federal level.

For *differential response* to succeed, adequate resources are needed in the community to prevent involvement with child welfare, to reunite abused and neglected children with their families and to provide follow-up support for those families. In addition, families need assistance in getting connected to other critical services and resources such as substance abuse treatment, CalWORKS, childcare and mental health counseling. Implementing *differential response* will create a greater demand for collaboration among systems and for flexible funding to meet each family's needs.

Administrative Challenges. *Differential response* also requires substantial changes within the child welfare system with respect to:

- Who is involved with helping families;
- How county agencies and communities approach families;
- How a family's ability to protect its children is assessed; and
- How community partnerships are established and nurtured.

Each of these factors requires new approaches. Many counties have already started to address community concerns regarding the preservation and enhancement of child safety. *Differential response* will be successful if communities have the capacity for and commitment to sharing this responsibility.

"Differential response will look different from one county to the next.

The key elements will be engaging families faster and connecting them to services that help them better protect children."

— Frank Mecca
Executive Director,
CWDA

challenges

What Can We Do to Move Forward?

There is keen interest across the state in responding more successfully to the needs of children and families. Many stakeholders have been involved in assessing the child welfare system and in making wide-ranging recommendations for its reform.

As the state embarks on the road to implementing the *differential response* strategy — one that holds great promise — stakeholders can continue to move the system forward according to their respective roles:

- **Community-Based Organizations:** Examine internal changes that will enable children and families who have been referred by child welfare agencies to receive services; work as active partners with county agencies in planning and coordinating services, engaging families in decision-making, and collecting and sharing information on outcomes for children.
- **Foundations:** Become familiar with changes in the child welfare system and their impact on your local grantees and communities. Leverage these changes by investing in community services that partner with county government to keep children safely in their own homes.
- **State Policymakers:** Focus on increasing state investment and sustaining counties' investments to build the necessary range of services for *differential response*. Make policy changes that help move practice from investigation to assessment, help overcome confidentiality issues that make it difficult to share information across agencies, ensure that state agencies work together to support flexible local services, and assign high priority to vulnerable children and families. State officials should advocate at the federal level for more flexible use of existing funding streams and increased funding for services. California's implementation of *differential response* needs to be monitored and evaluated. State Legislators play a crucial role, if, as in most states statutory changes are needed.
- **County Boards of Supervisors:** Provide leadership that promotes shared, community-wide responsibility for keeping children safe. Make it a priority that local child welfare, mental health, substance abuse, CalWORKS and workforce investment systems work together to create local *differential response* systems that offer an array of services and supports for families. For example, consider giving priority for substance abuse treatment to families with children. Build *differential response* into the required system improvement plan. Increase the level of partnership between county government and community organizations.
- **School System Administrators:** Partner actively with county agencies as they seek to respond to families in new ways. Ensure that school-based services are part of the *differential response* service network in your community so that your students may benefit from the new system.
- **County Child Welfare Agencies:** Form working partnerships with other public agencies and existing community resources. Provide informed leadership and demonstrate commitment to planning. Be prepared to work creatively and collaboratively. Prepare staff in county and community agencies to join with families to achieve clear outcomes. Actively examine existing policies, procedures and protocols to assure consistency of approach. Collect and analyze necessary data and information to track outcomes.

The expectation is that a larger proportion of referrals will result in families actually receiving services, and a greater proportion of these services will be provided without bringing the family into the child welfare services system. When foster care is necessary, decisions will be made more quickly with the active participation of parents and extended family members.

- **First Five Commissioners** (State or Local): *First Five* is a critical partner in developing the direct services needed to assist families in the *differential response* system. First Five commissioners who are committed to child safety can direct resources to creating comprehensive community service systems that support families in the *differential response* system.
- **Federal Officials:** Help improve the safety and well-being of children by supporting increased flexibility in federal child welfare funding streams as well as increased funding for services to families. Since the federal government has mandated improvements in the state's child welfare system, it needs to provide the funding and federal statutory changes to achieve these improvements.

Footnotes

¹ California Department of Social Services, *Re-referral Trend Implications*, 1999-2001.

Resources

For more information please visit the following Web sites:

- California Department of Social Services
www.cdss.ca.gov
- Child Welfare Research Center, Center for Social Services Research, School of Social Welfare, UC Berkeley
<http://cssr.berkeley.edu/childwelfare/>
- County Welfare Directors Association
www.cwda.org
- The Institute of Applied Research
www.iarstl.org
(Minnesota Alternative Response Evaluation: Final Report)

About the Authors

Dr. Patricia Schene has been working in child welfare for 30 years in state government, national organizations, foundation initiatives, evaluative research and as a leader in the development and implementation of national and state policy changes.

Stuart Oppenheim is the founding Executive Director of the Child and Family Policy Institute of California; he began this work in the Fall of 2004 after 32 years in public social services in two California counties.

Cathy Senderling, Senior Legislative Advocate with the County Welfare Directors Association of California (CWDA), has been with CWDA since 2000. Prior to that, she worked for the nonpartisan California Legislative Analyst's Office and the Senate Committee on Budget and Fiscal Review, where she focused on an array of human services issues.

The Consortium wants California's children to be safe, healthy and learning each day.

Established in 1991, the Foundation Consortium for California's Children & Youth is a non-partisan resource bringing philanthropy together with community, schools and government to improve public policy and practice. The Consortium is a pooled fund of 19 of California's leading foundations. Foundation members are independent, yet they share common goals and the strategy of public-private partnerships.

Judith K. Chynoweth, Executive Director
Bonnie Armstrong, Senior Fellow
Michael Kressner, Communications Director

Acknowledgements

This policy brief has been developed by the County Welfare Directors Association of California and the Foundation Consortium for California's Children & Youth as part of Fostering Results for California's Children, which is funded by Fostering Results. Fostering Results is a national, nonpartisan project to raise awareness of issues facing children in foster care. It is supported by a grant from the Pew Charitable Trusts to the Children and Family Research Center at the School of Social Work, University of Illinois at Urbana-Champaign. The opinions expressed in this report are those of the authors and do not necessarily reflect the views of the Pew Charitable Trusts.

We gratefully acknowledge the contribution of the following Individuals who assisted us in the process of conceiving, drafting and editing this brief: Kerri Aiello, Danna Fabella, Greta Helm, Frank Mecca, Susan Nisenbaum, Joni Pitcl, Laurie Slothower, Kate Welty, Renee Wessels and Lynn Yaney.



POLICY BRIEF

WhatWorks

ADDRESS SERVICE REQUESTED

Prsrt Std
U.S. Postage
PAID
Permit No. 1890
Sacramento, CA



FOUNDATION CONSORTIUM
FOR CALIFORNIA'S CHILDREN & YOUTH

2295 Gateway Oaks Drive
Suite 100
Sacramento CA 95833
916.646.3646
www.foundationconsortium.org
www.promisingpractices.net